

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2070 Session of
2001

INTRODUCED BY J. EVANS, ARGALL, BENNINGHOFF, BOYES, M. BAKER,
BARRAR, BASTIAN, BELARDI, BELFANTI, BROWNE, CAPPELLI,
CASORIO, CLARK, L. I. COHEN, COLEMAN, CORRIGAN, CREIGHTON,
DALEY, DALLY, FAIRCHILD, FEESE, FICHTER, FREEMAN, GEIST,
GEORGE, GRUCELA, HARHAI, HARPER, HASAY, HENNESSEY, HERMAN,
HORSEY, HUTCHINSON, KAISER, LEWIS, MACKERETH, McCALL,
McILHATTAN, S. MILLER, NAILOR, PETRARCA, PETRONE, PHILLIPS,
PIPPY, READSHAW, ROBERTS, RUBLEY, SAINATO, SATHER, SCHULER,
SHANER, B. SMITH, SOLOBAY, STABACK, J. TAYLOR, THOMAS, TIGUE,
TRICH, TURZAI, WATSON, WILT, YOUNGBLOOD, YUDICHAK AND ZUG,
OCTOBER 24, 2001

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 24, 2001

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for simple assault.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 2701 of Title 18 of the Pennsylvania
6 Consolidated Statutes, mended June 22, 2001 (P.L.605, No.48), is
7 amended to read:

8 § 2701. Simple assault.

9 (a) Offense defined.--A person is guilty of assault if he:

10 (1) attempts to cause or intentionally, knowingly or
11 recklessly causes bodily injury to another;

12 (2) negligently causes bodily injury to another with a
13 deadly weapon;

1 (3) attempts by physical menace to put another in fear
2 of imminent serious bodily injury; or

3 (4) conceals or attempts to conceal a hypodermic needle
4 on his person and intentionally or knowingly penetrates a law
5 enforcement officer or an officer or an employee of a
6 correctional institution, county jail or prison, detention
7 facility or mental hospital, during the course of an arrest
8 or any search of the person.

9 (b) Grading.--Simple assault is a misdemeanor of the second
10 degree unless committed:

11 (1) in a fight or scuffle entered into by mutual
12 consent, in which case it is a misdemeanor of the third
13 degree; or

14 (2) against a child under 12 years of age by an adult 21
15 years of age or older, in which case it is a misdemeanor of
16 the first degree.

17 Section 2. This act shall take effect in 60 days.